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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,989	10/02/2003	Peter Spiess	16565	9067

50659 7590 03/14/2007  
BUTZEL LONG  
STONERIDGE WEST  
41000 WOODWARD AVENUE  
BLOOMFIELD HILLS, MI 48304

EXAMINER
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PICO, ERIC E

ART UNIT	PAPER NUMBER
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3654

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/677,989

**Applicant(s)**

SPIESS, PETER

**Examiner**

Eric Pico

**Art Unit**

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim(s) 11 and 12 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Steele U.S. Patent No. 3255807.

3. **Regarding claim 11**, Steele discloses a sliding door although not a door used in an elevator installation per se, Steele has all the structure set forth in the claims. The intended use in the preamble adds no patentable weight to the claims. Steel discloses a door used in an installation comprising: a door leaf 22 having an edge surface extending in a plane; guide elements 50, 52 extending generally perpendicular to the plane of the edge surface; and a movable belt 40 engaging the guide elements 50, 52, the movable belt having a portion adapted for contact with a guide surface 38 during sliding of the door leaf 22 relative to the guide surface 38, the guide surface 38 extending in a plane generally perpendicular to the plane of the edge surface.

4. **Regarding claim 12**, Steele discloses another guide element 50 extending generally parallel to the plane of a door leaf 22 and the movable belt 40 being an endless belt engaging another guide element 50.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim(s) 1-3, 5-7, 9, and 10 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Steele U.S. Patent No. 3255807 in view of McCaulay Jr. U.S. Patent No. 3523390.

7. **Regarding claim 1**, Steele discloses an apparatus for guiding a door leaf 22 of a sliding door comprising: guide elements 50, 52; and a movable belt 40 engaging the guide element 50, 52, the movable belt 40 having a portion adapted for contact with a guide surface 38 associated with the door leaf 22 whereby when the guide element 50, 52 is mounted to extend generally parallel to a vertical plane of the guide surface 38, the portion of the movable belt 40 contacts the guide surface 38 during sliding of the door leaf 22 in a plane generally parallel to the plane of the guide surface 38.

8. Steele is silent concerning the movable belt having a portion adapted for contact with a generally vertical guide surface and the guide element is mounted to extend generally parallel to a vertical plane of the guide surface.

9. McCaulay Jr. teaches an apparatus for guiding a door leaf of a sliding door 10 comprising: a guide element 23; and a guide surface 21, 22 associated with the door leaf 10 whereby when the guide element 23 is mounted to extend generally parallel to a vertical plane of the guide surface 21, 22, a portion of the guide element 23 contacts the

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guide surface 21, 22 during sliding of the door leaf 10 in a plane generally parallel to the plane of the guide surface 21, 22.

10. It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the movable belt disclosed by Steele for contact with a generally vertical guide surface as taught by McCaulay Jr. and mount the guide elements disclosed by Steele generally parallel to a vertical plane of the guide surface as taught by McCaulay Jr. to facilitate the movement and guidance of the sliding door.

11. **Regarding claim 2**, Steele discloses the guide surface 38 is disposed in a region of a door frame 30 for the door leaf 22 and the guide element 50, 52 is attached to the door leaf 22.

12. **Regarding claim 3**, Steele discloses the guide surface 38 is disposed in the door leaf 22 and the guide element 50, 52 is attached to a region of a door frame 30 for the door leaf 22.

13. **Regarding claim 5**, Steele discloses guide element 50, 52 is a roller rotatably attached to the door leaf 22.

14. **Regarding claim 6**, Steele discloses the guide element holds the movable belt 40 against the guide surface 38.

15. **Regarding claim 7**, Steele discloses movable belt 40 seals against the guide surface 38 to prevent air leakage between opposite sides of the door leaf 22.

16. **Regarding claim 9**, Steele discloses movable belt 40 has resilient properties (rubber, column 2, line 55).

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17. **Regarding claim 10**, Steele discloses movable belt 40 has a laminated structure. The inclusion of leaf spring 58 in the belt is construed as a laminated structure.

### ***Response to Arguments***

18. Applicant's arguments with respect to claims 1-3, 5-7, 9 and 10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589.

The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP



PATRICK MACKEY  
SUPERVISORY PATENT EXAMINER  
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